IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NOs: 10477 AND 13698 OF 2003

WRIT PETITION NO.10477 OF 2003

Between:

Podugu Venkata Satyanarayana Prasad, S/o. Sri Jagannadha Swamy,

Archaka of Sri Venkateswara Swamy Mutt, Tallur Village,

Gandepally Mandal, East Godavari District.

..... PETITIONER

AND

1. The Commissioner of Endowments,

Boggulakunta, Tilak Road, Abids, Andhra Pradesh, Hyderabad.

2. The Deputy Commissioner of Endowments,

Kakinada, East Godavari District.

3. The Executive Officer of Sri Venkateswara Swamy Mutt,

Tallur Village, Gandepally (M), East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly a writ in the nature of writ of Mandamus declaring the action of the third respondent i.e., The Executive Officer of Sri Venkatesweara Swamy Mutt, Tallur Village, Gandepally Mandal, E.G. District in demolishing Sri Venkateswara Swamy Temple situated at Tallur Mutt as bad, illegal,

arbitrary.

Counsel for thepetitioner: Mr. M. VIDYA SAGAR

Counsel for the Respondents 1 & 2: G.P. FOR ENDOWMENTS.

Counsel for the Respondent No.3: MRS. N. INDRANI.

WRIT PETITION NO : 13698 of 2003

Between:

J.V.Narasimha Murthy, S/o. J.Narasimha Murthy,
Sri Venkateswara Swamy Mutt, Tallur village,
Gandepalli Mandal, E.G.District.

..... PETITIONER

AND

1 The Commissioner of Endowments, Boggulakkunta,Tilak Road,Abids,Hyderabad.
2 The Dy.Commissioner of Endowments, Kakinada, E.G.District.
3 The Executive Officer, Sri Venkateswara Swamy Mutt, Tallur Village, Gandepalli Mandal, E.G.District.
4 Station House officer, Gandepalli Police station, Peddapuram, E.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus, or any other appropriate writ, order or direction declaring the action of the first respondent in not taking any action on the representations given by the petitioner and co-archakas in respect of the illegal and high handed demolition of the temples situated in Sri Venkatgeswara Swamy Mutt complex, Talluru village, Gandepalli Mandal, East Godavari District as illegal, arbitrary and unconstitutional and consequently direct 1) the first respondent to conduct an enquiry into the illegal demolition of the said temples in the presence of Archakas and fix up the responsibility of the third respondent and others who are involved in the demolition and to take appropriate action against them and to direct the respondents to reconstruct the demolished temples situated in Sri Venkateswara Swamy Mutt, Talluru village, Gandepalli Mandal, East Godavari District, in its original form as per the Agama Sastras under the supervision of the Archaeological Department 2) and also to direct the fourth respondent to register a F.I.R. and prosecute the persons named in the complaint dt.17-5-2003 3) and to direct the third respondent to release the amount forthwith pursuant to the proceedings issued by the second respondent in Rc.No.A4/7794/2003 dt.27-5-2003 for performing Nitya Dhoopa Deepa Naivedyams to the deities.

Counsel for the Petitioner: MR.P.GOVIND REDDY

Counsel for the Respondent No.1 & 2: GP FOR ENDOWMENTS

Counsel for the Respondent No.3: MRS. N. INDRANI.

Counsel for the Respondent No.4: G.P. FOR HOME.

The Court made the following:

COMMON ORDER:-

Heard both the learned counsel and at their request, the writ petition is taken up for disposal.

Learned Standing Counsel appearing on behalf of the respondents submitted that having regard to the proceedings dated 29-12-2003, these two writ petitions have become infructuous.

Recording the above, these two writ petitions are dismissed as infructuous.

2-09-2004.

stv/-

To

1. The Commissioner of Endowments, Boggulakunta, Tilak Road, Abids, Andhra

Pradesh, Hyderabad.

2. The Deputy Commissioner of Endowments, Kakinada, East Godavari District.

3. The Executive Officer of Sri Venkateswara Swamy Mutt, Tallur Village, Gandepally (M), East Godavari District.

4 Station House officer, Gandepalli Police station, Peddapuram, E.G.District.

5 2 CCs to the Government Pleader for Endowments, High Court Buildings, Hyderabad (OUT).

6. 2 CD copies.